**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

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| J.A.V., *et al.*, | |
| *Petitioners–Plaintiffs*, | |
| v. | CIVIL ACTION NO. <u>1:25-cv-0072</u> |
| DONALD J. TRUMP, in his official capacity as President of the United States, *et al.*, | |
| *Respondents–Defendants.* | |

## [PROPOSED] ORDER GRANTING PETITIONERS' MOTION FOR CLASS CERTIFICATION

This matter came before the Court on the motion of the Petitioners for class certification. Having considered the motion, the memorandum in support, and the record in this case, and having otherwise been fully advised, the Court finds that there is good cause to GRANT Petitioners' motion and hereby **ORDERS** as follows:

1. The requirements of Federal Rules of Civil Procedure 23(a) and 23(b)(2) are satisfied, including that:

    a. The Class is so numerous that joinder of all members is impracticable;

    b. There are multiple questions of law and fact common to the Class;

    c. The claims and defenses of the representative parties are typical of the claims and defenses of the Class;

    d. The representative parties will fairly and adequately protect the interests of the Class.

    e. The party opposing the Class has acted or refused to act on grounds that apply generally to the Class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the Class as a whole.

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2. This case is certified as a class action for the following class: All noncitizens in custody in the Southern District of Texas who were, are, or will be subject to the March 2025 Presidential Proclamation entitled "Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren De Aragua" and/or its implementation;

3. Petitioners J.A.V., J.G.G. and W.G.H. are appointed as Class Representatives.

4. Petitioners' counsel from the American Civil Liberties Union and the American Civil Liberties Union of Texas are hereby appointed as counsel for the Petitioner Class.

It is so **ORDERED**.

Entered on _____, 2025 at _____ a.m./p.m.

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United States District Court Judge

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